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1
                 IN THE UNITED STATES DISTRICT COURT
                  FOR THE DISTRICT OF NORTH DAKOTA
 2
                          EASTERN DIVISION
 3
                                   Case No. 3:22-cr-010
 4
        United States of America,
 5
                            Plaintiff,
 6
                   VS.
 7
        Macalla Lee Knott,
 8
                Defendant. )
9
10
11
                         TRANSCRIPT
12
                                 ΟF
13
                        PROCEEDINGS
14
                            (Sentencing)
15
16
                             Taken at:
                Quentin N. Burdick U.S. Courthouse
17
                       655 First Avenue North
18
                      Farqo, North Dakota 58102
19
                          January 3, 2025
                             9:07 a.m.
20
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22
23
24
       BEFORE THE HONORABLE PETER D. WELTE
25
       COURT REPORTER: CAROLYN TAYLOR PEKAS, RPR
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                 (The above-entitled matter came before
        the Court, the Honorable Peter D. Welte, United
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3
        States District Court Chief Judge, presiding,
        commencing at approximately 9:07 a.m., Friday,
 4
        January 3, 2025, at the Quentin N. Burdick U.S.
 5
 6
        Courthouse, 655 First Avenue North, Fargo, North
7
        Dakota.)
                 THE COURT: We're on the record, and the
8
9
        matter before the Court is the United States
10
        vs. Macalla Knott.
                 Ms. Knott is present. Good morning,
11
12
       Ms. Knott.
13
                 THE DEFENDANT: Good morning.
14
                 THE COURT: She's represented by Tanya
15
        Martinez, and the United States is represented by
16
        Chris Myers.
                 We are here for a sentencing hearing.
17
18
                 And I will note for the record that Dyan
19
        Jorgenson is present by interactive video from
20
        the Ron Davies Courthouse and Federal Building in
21
        Grand Forks, North Dakota.
22
                 Ms. Knott, before we proceed, let's have
23
        you placed under oath. Would you please stand
24
        and raise your right hand?
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THE DEFENDANT: Yes.

1 2 MACALLA KNOTT, 3 having been duly sworn, testified as follows: 4 THE COURT: Thank you. Be seated, 5 6 please. 7 Ms. Knott, how are you doing this morning? 8 9 THE DEFENDANT: I'm pretty good. I'm 10 pretty good. How are you? 11 THE COURT: Well, thank you. I am well. 12 I am much more concerned with you, to make sure that you're doing okay and that your -- your 13 14 mental state is good? 15 THE DEFENDANT: Yes. 16 THE COURT: Okay. You're not under the influence of any alcohol or drugs, are you? 17 18 THE DEFENDANT: No. 19 THE COURT: Okay. I have to ask that 20 question, as silly as it may seem, but we just 21 want to make sure that you're sober. 22 I know that you came over here from 23 Becker County, so the marshals probably were 24 transporting you quite early this morning. 25 THE DEFENDANT: Yes.

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1
                 THE COURT: Okay. Did you get some
2
        sleep last night?
3
                 THE DEFENDANT: Barely, but yes.
                 THE COURT: All right. Did you get
 4
5
        enough sleep so that your head is fresh and
 6
        you're ready to move forward?
7
                 THE DEFENDANT: Yes. I've been waiting
        for this day forever. Yes.
8
 9
                 THE COURT: Okay. Are you satisfied
10
        with the legal representation you've received in
        this case?
11
12
                 THE DEFENDANT: Yes.
13
                 THE COURT: Okay. Very good. Well,
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        then we will move forward.
                 I do have a Presentence Investigation
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16
        Report, and I note that with regards to that
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        Presentence Investigation Report, which was filed
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        less than a week ago as Document 650 in the
19
        record, that there are no unresolved objections
20
        to the PSIR.
2.1
                 Is that the case, Ms. Martinez?
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                 MS. MARTINEZ: Yes, Your Honor.
23
                 THE COURT: Thank you.
2.4
                 And, Mr. Myers, the same?
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                 MR. MYERS: That's correct, Your Honor.
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THE COURT: Okay. Let's talk about the offense level computation in this document. The offense level computation is set forth in the PSIR, and that starts on page 9. Paragraph 24 sets forth the base offense level at a 42. The adjusted offense level is also a 42.

I will note in paragraph 27 that although Ms. Knott had an aggravating role in the conspiracy pursuant to Comment Note 1 and 2D1.5, an adjustment from Chapter Three should not be applied because it's already incorporated into the count of conviction.

Ms. Martinez, no questions about that?

MS. MARTINEZ: No, Your Honor.

THE COURT: Okay. So the adjusted offense level is a 42, and the Defendant is afforded a two-level reduction for accepting responsibility and an additional one level for timely notification. Total offense level of 39.

Ms. Knott has 14 criminal history points, so she's Criminal History Category VI, so the sentencing guideline range in this matter is life.

Any objection to the computation of the Court, Ms. Martinez?

1 MS. MARTINEZ: No, Your Honor. 2 THE COURT: And Mr. Myers? 3 MR. MYERS: No objection, Your Honor. I would note that I think the defense 4 5 was asking for an adjustment in the criminal 6 history category, based on oral representation, 7 because I think -- I think it's pretty clear that the driving under suspension after revocations 8 9 have -- have driven her criminal history score 10 and category way high, so -- we discussed this 11 beforehand. I don't have an objection. I think 12 legally the Court can move it one category down, from a VI to a V, is how I understand the law to 13 14 be, but I just wanted to make sure that was in the record. We did discuss that, and it makes 15 16 sense here. 17 We also talked to Ms. Jorgenson about 18 that, and I think Probation is in agreement with 19 that, if I'm not mistaken, so... 20 THE COURT: Yeah. I appreciate you 21 bringing that up. Let's first make sure that 22 there are no objections to the computation the 23 Court has. 24 That's the case, Mr. Myers?

MR. MYERS: No objection, Your Honor.

THE COURT: Thank you, sir.

Ms. Martinez, your voice is a little softer to me, in my ears, so if we can get that microphone somehow arranged so it's more directly in front of you.

Now, the criminal history -- the argument, I believe, that's being made is that the criminal history is overrepresented because 10 of her 13 criminal history points are due to driving after revocation convictions.

Ms. Martinez, do you wish to spell out the argument more? I know that you've documented it as well. Go ahead.

MS. MARTINEZ: Your Honor, I think that what I put in my memo explains it. I don't think -- I am aware that the Court thoroughly reviews the memos and all of the attachments. It was my hope that the Court would take a look at those priors and do as Mr. Myers has suggested, reduce the category. I would ask that it would be reduced a couple of levels, because the points were all DUSs, to Category III.

THE COURT: Well, this is a request for a departure due to an overrepresentation of the criminal history category and the --

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1
                 Ms. Jorgenson, can you please delineate
2
        for me the specific guideline for the departure?
3
                 USPO JORGENSON: Under 4A1.3(b)(1).
                 THE COURT: 4A1.3 -- was that "b," as in
 4
        "boy," 1?
 5
 6
                 USPO JORGENSON: Yes.
7
                 THE COURT: And -- all right.
 8
                 So, Mr. Myers, do you care to speak to
 9
        the request any more than you already have?
10
                 MR. MYERS: No, Your Honor. Thank you.
11
                 THE COURT: Thank you.
12
                 Under (b) (1): If reliable information
        indicates that the defendant's criminal history
13
14
        category substantially overrepresents the
        seriousness of the defendant's criminal history
15
16
        or the likelihood that the defendant will commit
        other crimes, a downward departure may be
17
18
        warranted.
19
                 And a limitation on the extent of the
20
        downward departure for a career offender is set
21
        forth in 4A1.3(b)(3). That does not apply here.
22
                 In this specific instance, it's pretty
23
        clear that the driving after revocations -- as a
24
        matter of fact, if all of the driving after
25
        revocations were removed, Ms. Knott would be a
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Criminal History Category II instead of a VI.

She was incarcerated when she signed petitions to plead in these cases, and she accepted 90-day sentences.

I do think, given the heavy impact on her criminal history category, that a downward departure under 4A1.3(b)(1) is warranted.

Now, there must be written specifications. It does say: In departing from the otherwise applicable criminal history category under this policy statement, the Court shall specify in writing the specific reasons why the applicable criminal history category substantially overrepresents the seriousness of the criminal history or the likelihood that the defendant will commit other crimes.

So the Court will do that in the departure section under -- in the Statement of Reasons of the judgment, but I think the parties are in agreement that it does apply. It will be reduced one category, which will bring us to a 39 and a Criminal History Category V, which means that the guideline range is --

Is it then still 360 to life, Ms. Jorgenson?

1 USPO JORGENSON: Yes, Your Honor. 2 THE COURT: Okay. Ms. Martinez, any 3 objection to the computation of the Court? MS. MARTINEZ: Only to the extent that 4 we would ask that it be reduced down to a 5 6 Category III, which is one category higher than 7 what it would be if the Court completely disregarded them. 8 9 Ms. Knott pled to those because she 10 wanted programming in prison; and so, you know, 11 if she had been reinstated, the normal practice 12 is to dismiss them. It's just she wanted programming, so she just pled to everything to 13 14 clear that up and get programming in prison. 15 THE COURT: Mr. Myers, response of the 16 United States to that? 17 MR. MYERS: Yeah. Two things, Judge. 18 think the Court is legally bound to reduce it 19 only by one category, as I recall; but, in any 20 event, in this case the guideline is life because 21 of the minimum mandatory on the CCE count, so it's a distinction without a difference. 22 23 THE COURT: Yeah. With regards to Count Five, it's not actually 360 to life. The 24

quideline is life on Count Five, and -- and to

say it's a distinction without a difference is accurate.

The request for further departure is denied. The Court can make the finding and will reduce it to writing in the Statement of Reasons with regards to the overrepresentation based on the driving after revocations, but the Court is limited under federal law to one category, and so we will follow the limits.

Any further objections to the PSIR?

MS. MARTINEZ: No, Your Honor.

THE COURT: Okay. So -- I shouldn't say "further objections" because there actually are no unresolved objections. Correct?

MS. MARTINEZ: Correct.

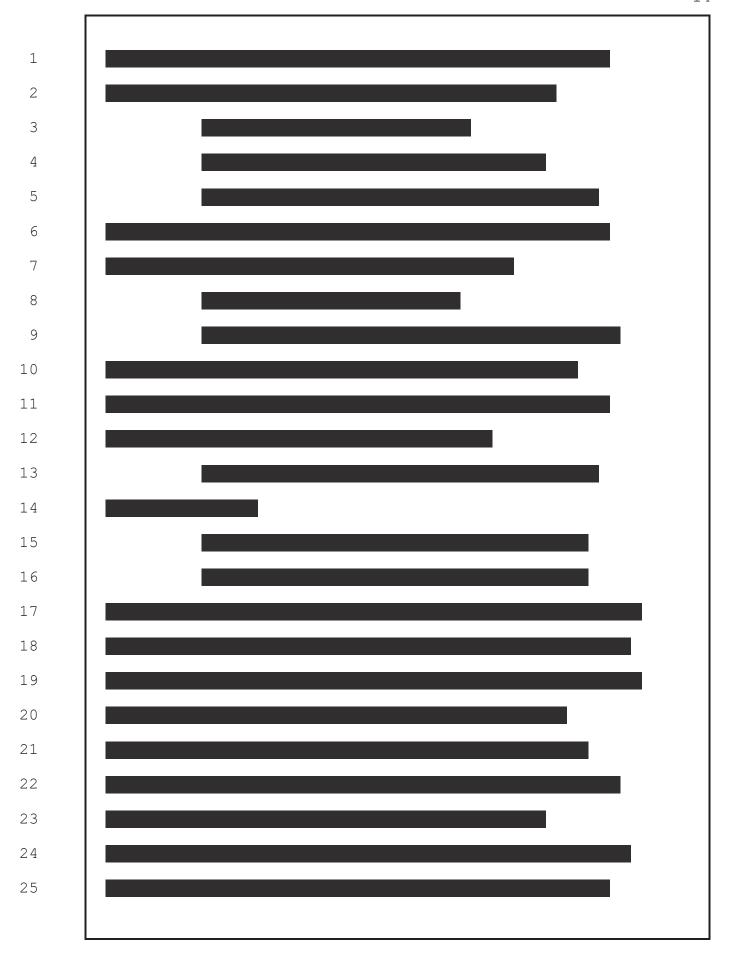
THE COURT: And, Mr. Myers, the same?

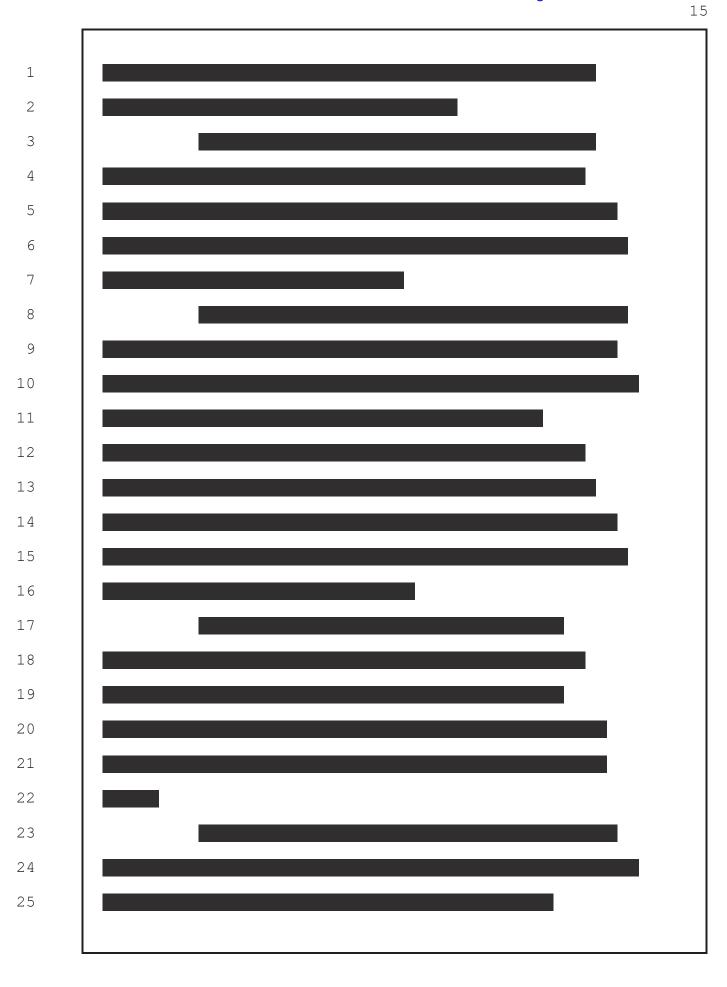
MR. MYERS: Correct, Your Honor.

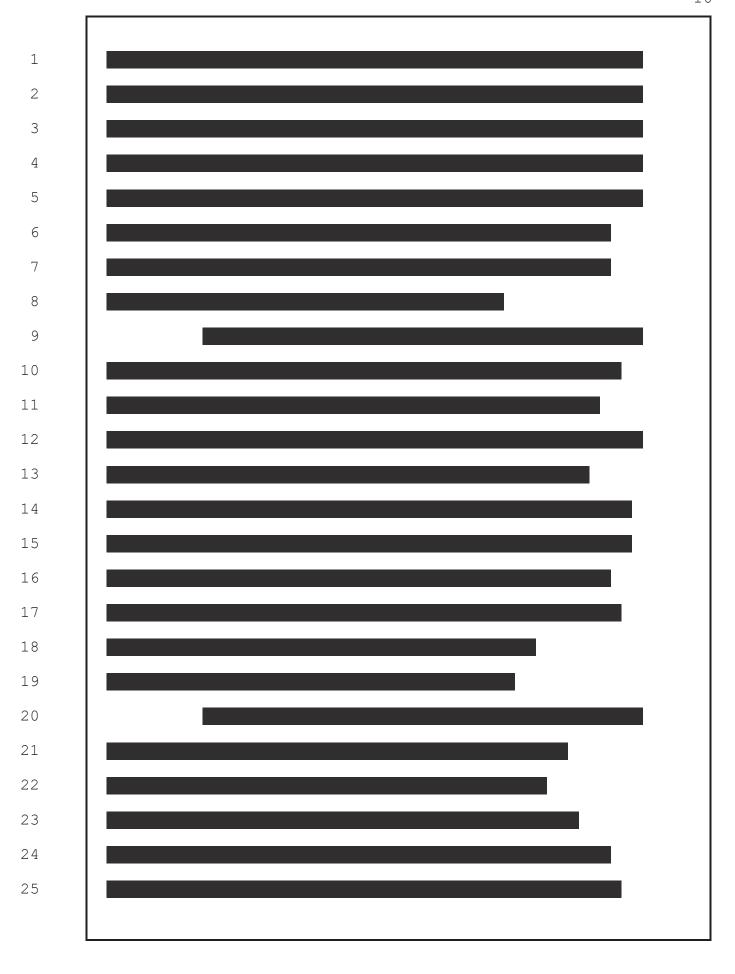
THE COURT: All right. So we have a PSIR, then, and the Court will accept the undisputed portions of the PSIR as findings of fact for purposes of this hearing today, and the Court does that pursuant to the Federal Rules of Criminal Procedure.

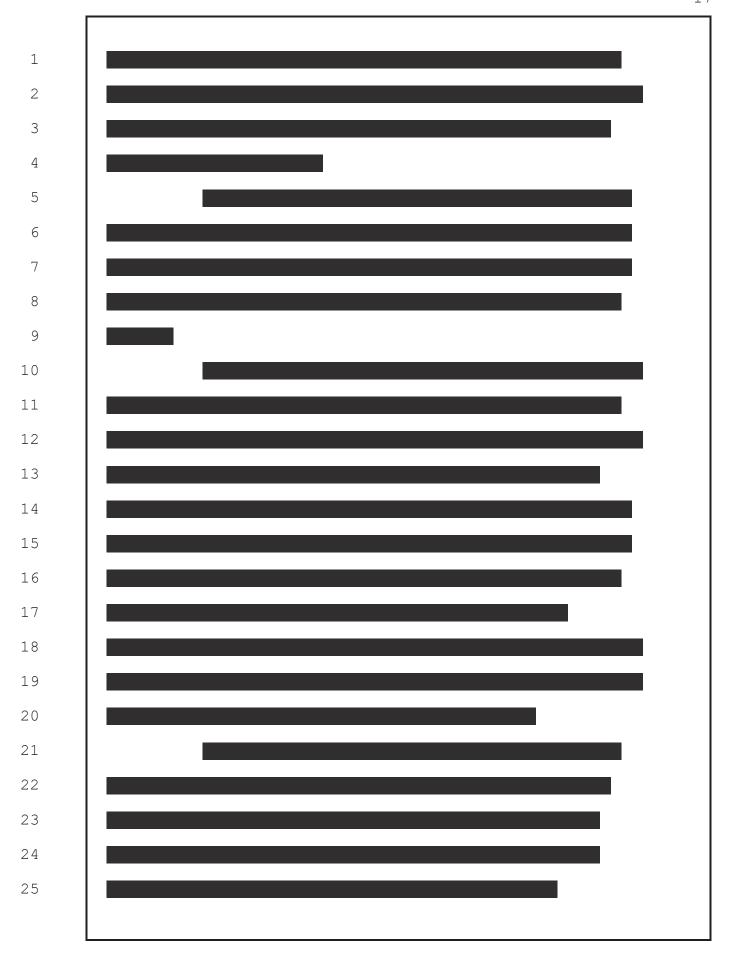
It occurs to me that the Court has something that it needs to address with the

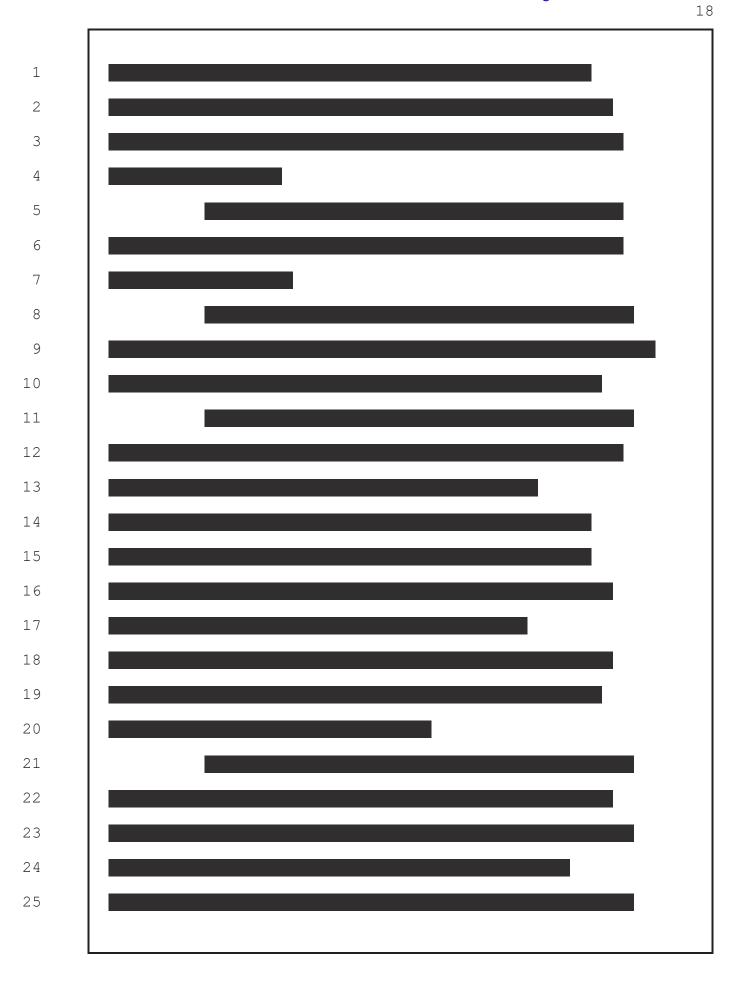
parties in camera, so as inconvenient as it is going to be for the full gallery here, Mr. Birrenkott and Mr. Porter, the court security officers, are going to assist all who are not part of the legal teams of either side out of the courtroom. When I get back on the record --you'll be invited in before I go back on the record, so you will miss nothing that is on the record, but I have something that I need to address with the parties in camera. So, ladies and gentlemen, if you're not part of the legal teams, please exit. (The observers were cleared from the courtroom and the following in camera proceedings were held:)

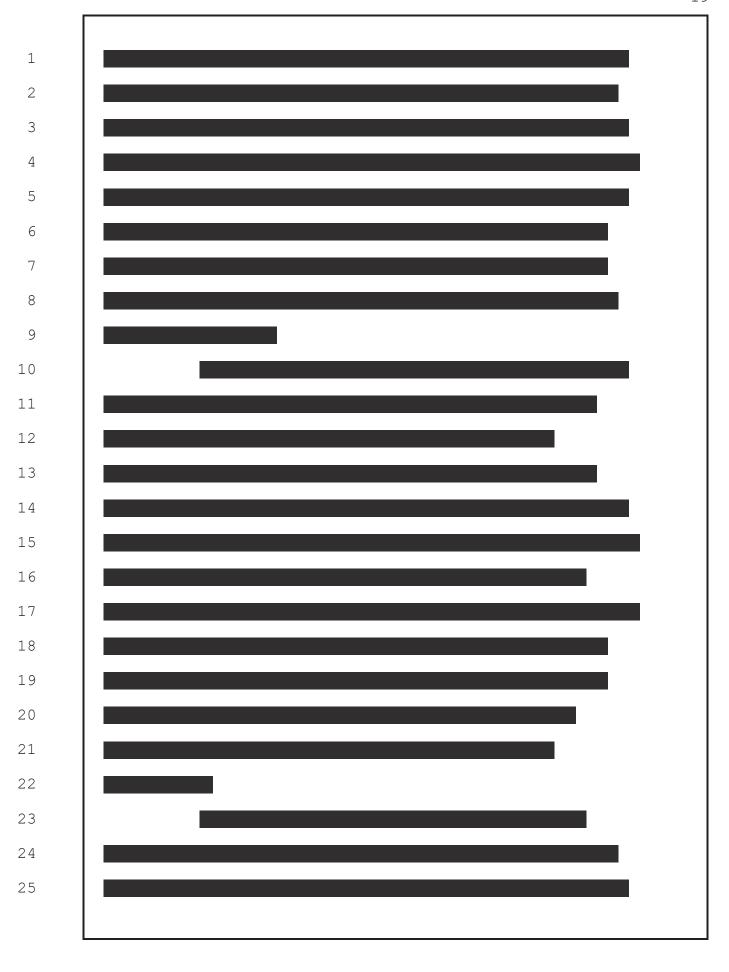


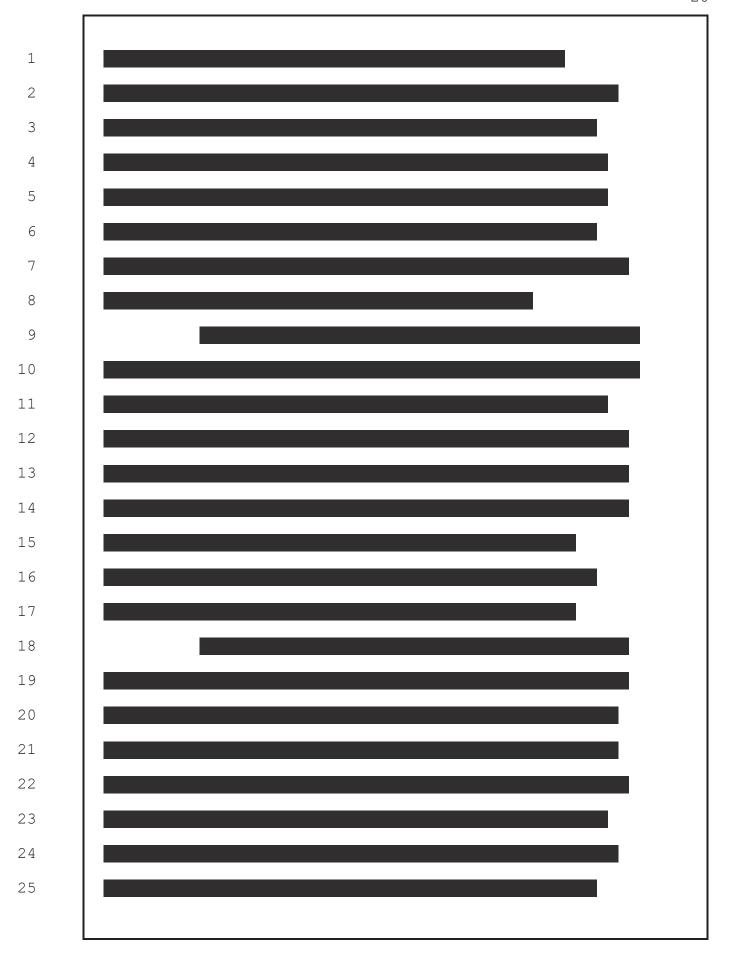


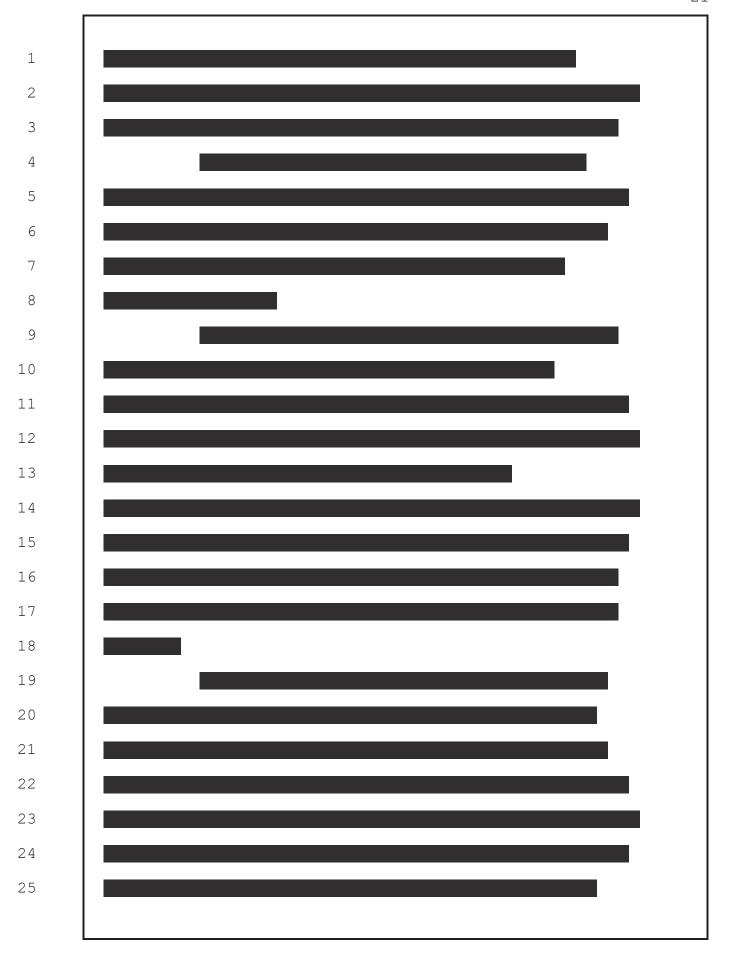


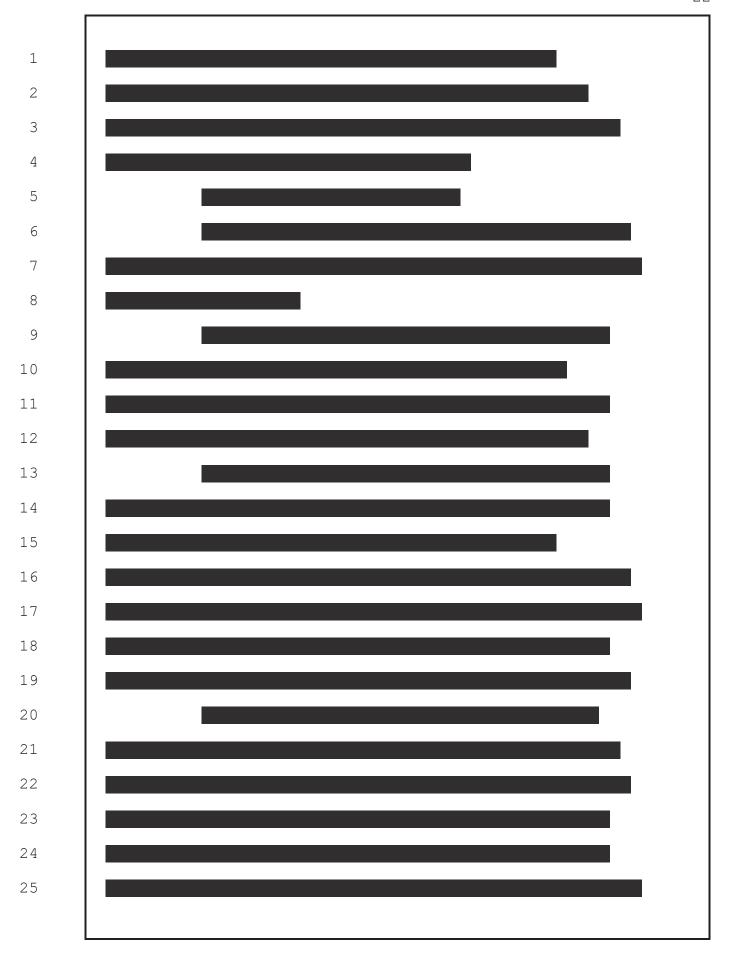


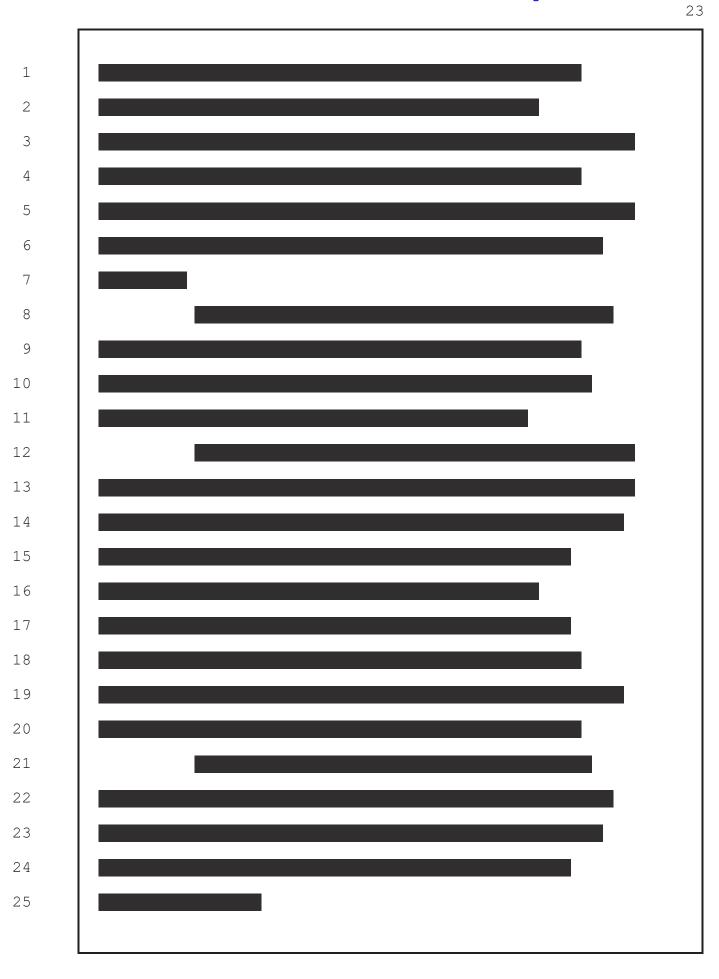


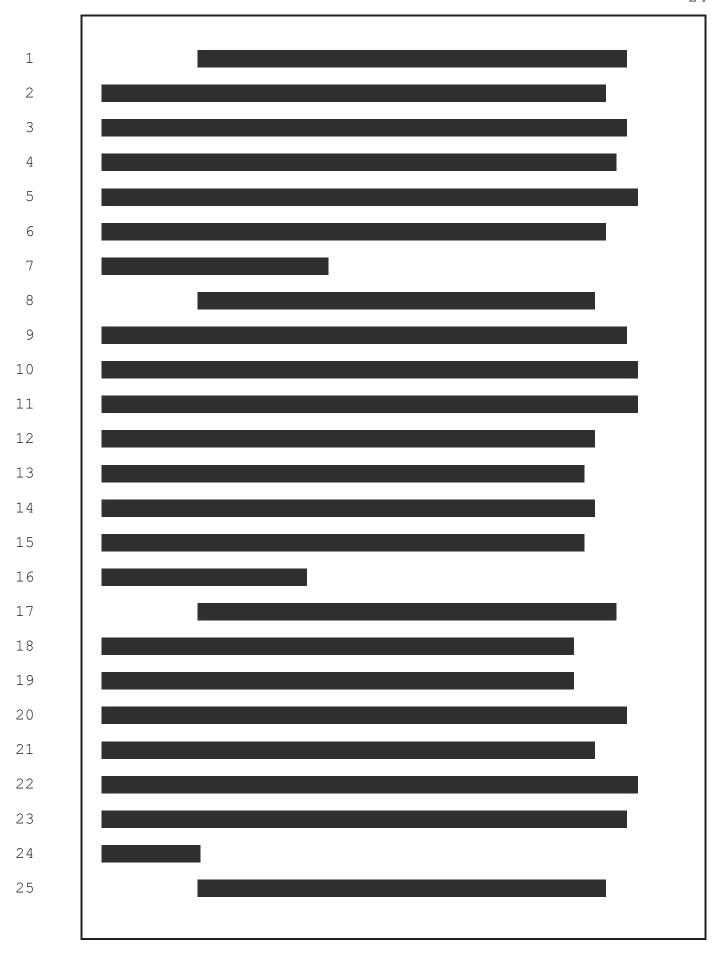


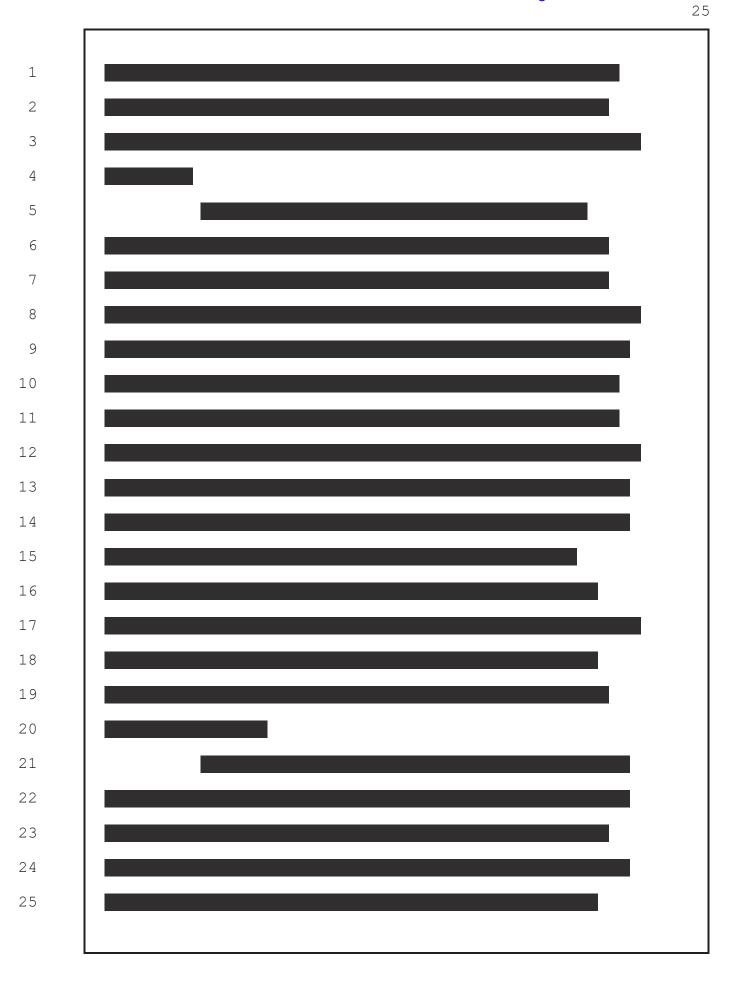


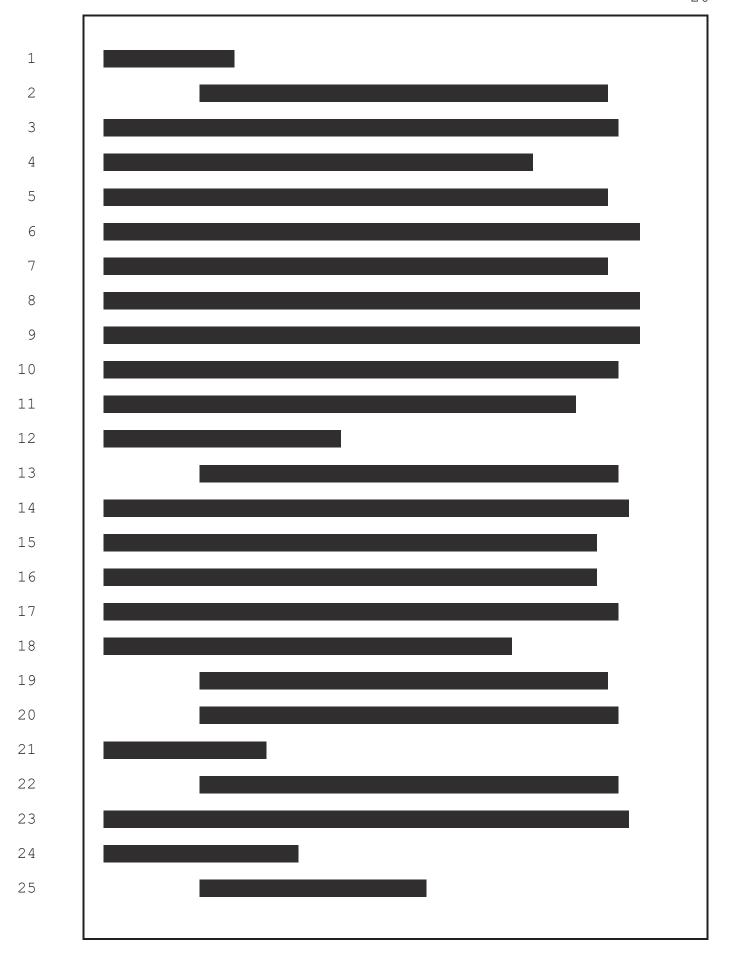


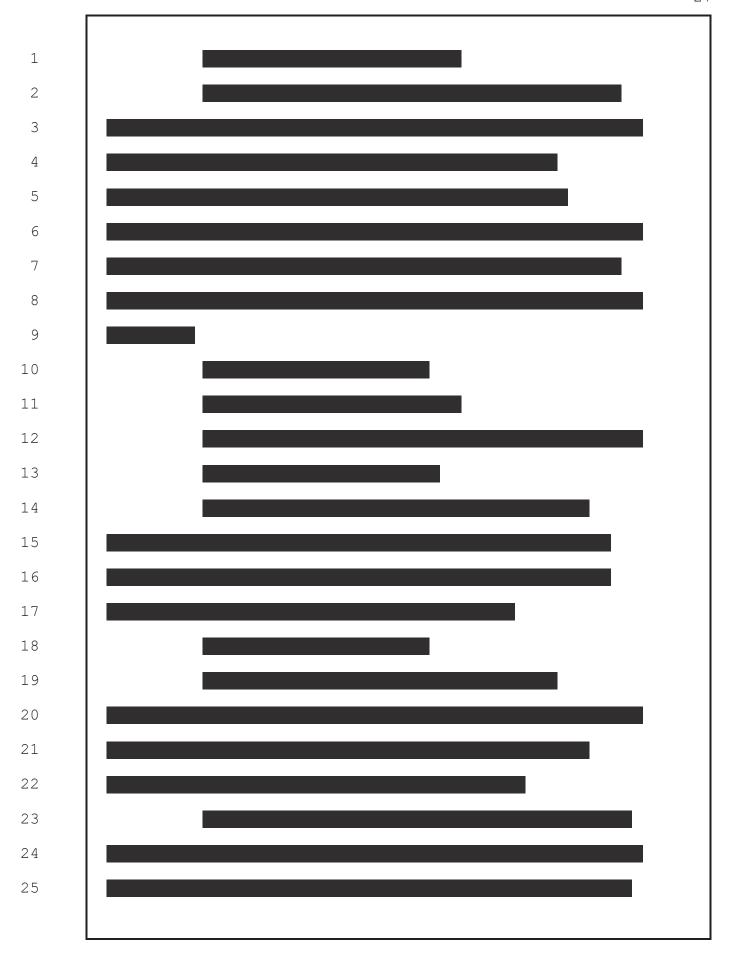


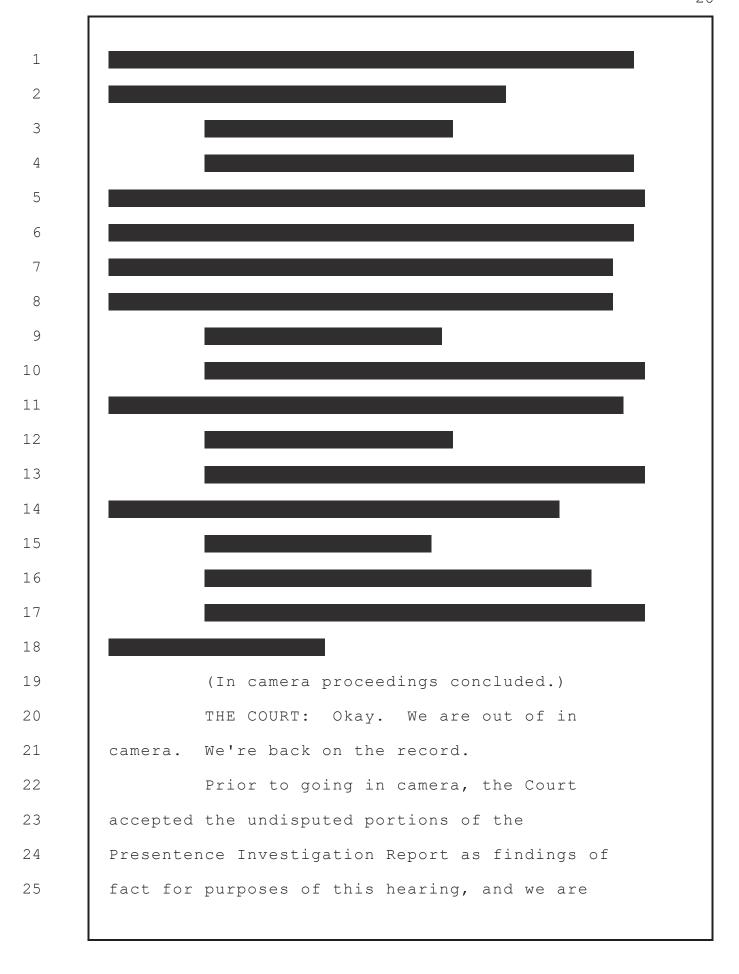












ready now for the recommendations of the parties.

As is the standard, the United States will give their recommendation first, and then the defense will give theirs. Ms. Knott will have an allocution, if she so desires, and the Court will then impose sentence.

Mr. Myers.

MR. MYERS: Thank you, Your Honor.

And I think the defense would -- there's a couple people that want to speak on Ms. Knott's behalf, too, just so the Court is aware, but I'll be brief, Judge.

THE COURT: Okay.

MR. MYERS: I just want to cover a few areas in this particular case in support of our recommendation, and we're going to ask the Court to sentence Ms. Knott on Counts Four and Five, and as the Court is aware, Count One is a lesser included of the Continuing Criminal Enterprise charge.

And so in this particular case, Judge, we're going to recommend to the Court a sentence of 321 months with supervised release of five years.

I just want to talk about -- a little

bit about some of the arguments advanced related to the 3553(a) factors, recognizing the (a) factors are not applicable here, but I just want to briefly cover a response to those.

And Ms. Martinez did a nice job of putting together the sentencing memorandum in this particular case. And recognizing that Ms. Knott has had a difficult childhood, to say the least, that is, I think, undisputed here and -- and not unlike most every case we see in federal court with families. What is different here, and it goes to an aggravating factor in this particular case, is she was able to navigate those family circumstances and ultimately was, you know, supplying her grandma with pound quantities of methamphetamine and supervising her father to store drugs and money and facilitate money being moved to Mexico.

And so as it relates to an aggravating factor, Ms. Knott has -- is charming and has the ability to manipulate people to serve her purposes -- very nice, very likeable -- but it is a -- it is a natural skill that she possesses, and there's almost an air of immaturity when she presents. And I don't know if that's a facade or

her personality, but it -- but it endears people to her, and she has this unique ability to get people to do what she wants them to do, and it is, in a true sense, an illusion as to her role in this organization.

When you look at some of the aggravating factors of the nature and circumstances of the offense, you look at the amount of people

Ms. Knott supervised in this organization, nearly twice that that is required to prove the continuing criminal enterprise. I think we allege nine. It's probably more than nine in this particular conspiracy.

And what's remarkable, Judge, is she did it from a foreign country, which is no easy task. Just navigating the trafficking activities and ensuring that large shipments of drugs are into the United States and that money is being paid; the ability to influence and manipulate people to ensure that the drugs arrive and the money is paid is remarkable.

And Ms. Knott did it for two years in Mexico, and she did it knowing before she went to Mexico and -- and there's an argument advanced that she went down to Mexico for COVID, and maybe

that's part of the reason; there are probably a number of reasons, but it's undisputed that

Ms. Knott was a large-scale drug trafficker

before she went to Mexico. She knew the folks,

at least some of the folks, in Mexico and went

down there and just became bigger from Mexico.

And that is remarkable, and it takes a unique

skill set that, in our view, is an aggravating

factor.

And then it goes without saying the large quantities and shipments of drugs that were shipped into the Midwest, just huge quantities as -- as the Court is well aware and as alleged in the Indictment.

And so those aggravating factors, in our view, far outweigh the mitigating factors cited by the defense in this particular case to the extent they even apply.

And so at the end of the day, Judge, we believe a sentence that is appropriate, given all of the circumstances, is 320 months -- 321 months and five years supervised release.

I think as part of the agreement we've moved to dismiss Counts Two and Eight in this particular case.

 $$\operatorname{And}$$ so I think that is all I have at this time. Thank you.

THE COURT: Thank you, Mr. Myers.

Ms. Martinez.

MS. MARTINEZ: Your Honor, this was my first CCE case, so it's been with me for about two and a half years now, and that's no secret. My client's aware of that. I've learned a lot through this case.

One thing that I have done is spent many, many hours with my client and had many conversations. If it's a facade, it's -- it's one that's been kept up unbelievably well, because Macalla is always Macalla when I encounter her.

Mr. Myers is correct. She is very endearing. The first thing she was worried about this morning when she saw me is how am I doing. She said, "You're going to do a good job." She's always worried about what's going on in somebody else's life, and I think that that did contribute to her ability to survive in Mexico. It's just very hard to be angry with her, and she doesn't stay angry with people.

I agree that there would be an element

of immaturity there, almost naivete, in that she truly wants to believe the best of people, and so she looked at the people in Mexico like that, looked at them as being poverty stricken, and you know, that's one of the things that they did to get themselves out of poverty.

But once actually after being there, things, I would suggest, did not necessarily get bigger for her. The Mexican cartel had her, and they used her and used her charm and used her capacity to see that good in people.

She befriended the women that were in the family, and some of them spoke English, so they were of great assistance to her.

And she was able to navigate her way through Mexico, but she's kind of a novelty. She's an American, blonde-haired, blue-eyed gal who is very pretty and very charming, and that did probably allow her to pass through very difficult situations with some ease.

The coordination that occurred with the people back here wasn't so much rocket science or anything special particular to her case. Once Frankie and Miguel were involved, all of a sudden the quantities became much higher, her fear

became much greater, and she didn't -- the way

Ms. Knott would describe it is she didn't fare

nearly as well as she did during the earlier drug

trafficking, prior to going to Mexico.

The profits weren't necessarily going to her. She was getting money from unemployment that attributes for \$3,000 a month for two years, so that's approximately, what, \$70,000 that would have been transferred? She guesstimates that she made approximately \$45,000 in profits during the time that she was in Mexico. But we don't dispute that the operation didn't get bigger; it's just that it eclipsed her, and she became just a pawn in it. And as indicated earlier, I truly believe that if the United States Government had not rescued her, she would be dead today.

(Private discussion between the Defendant and Ms. Martinez.)

MS. MARTINEZ: Her mother, Tanja

Tilleskjor, would like to give a statement, and also a friend, Ashley Schlichting, if the Court would so allow.

I think that in the memorandum I've intertwined what many, many character letters

1 have said, but those two are important to her and 2 highlight, and they would like to address the 3 Court personally. THE COURT: Thank you, Mr. Porter. 4 5 Yes. You may approach the bar, ma'am, 6 and you may come past and come to the podium. 7 Please say your name and spell the name for the record. 8 9 TANJA TILLESKJOR: My name is -- is it 10 on? 11 THE COURT: I don't think so. 12 Now it is. 13 TANJA TILLESKJOR: Hello. My name is 14 Tanja Tilleskjor, T-I-L-E-S-K-J-O-R. I am Kayla's mother. 15 16 I guess I'm not sure where to start, but 17 let me rebut what Mr. Myers said. He's got my 18 daughter completely wrong. She's a beautiful 19 soul. She'll do anything for anybody, and that's part of the problem. She doesn't know how to say 20 21 no to people. She'll help anyone. You hurt her, 22 she'll still help you. That's just who she is. 23 It's not an act, sir. It's her. She's 24 a beautiful person. People want to be around her

because of who she is. She makes you feel better

just being in her presence.

She did not go down there to continue no empire. She went down there to get away from COVID. She went down there with, knowing she had a way back through, a passport, which later didn't happen for her, so she then became stuck. She was stuck down there. She had no way to get back. She tried getting other passports sent to her. They didn't make it through the mail. I guess the Mexican mail is pretty corrupt.

I had to borrow her money down there to pay rent, so if she was continuing her empire, I wouldn't have needed to do that.

THE COURT: You'll need to face the front of the court.

TANJA TILLESKJOR: I'm just -- you guys have it wrong. She wasn't up here doing that and then going down there to continue anything. She ended up getting stuck there. She had no other means. She had no other way. She had no way to make money to survive. She knew -- she did what she knew how to do, and we've got to believe that is because of me, my mother. It's a long history that's finally ended.

She doesn't deserve 300-and-some months.

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1
        I swear to God, she doesn't. She wasn't
2
        manipulating anyone. She has no money. She has
3
        no car. She has nothing. I mean, I would think
        a kingpin would have all kinds of things to
 4
        confiscate. She had nothing. She's not who
 5
 6
        they're making her out to be.
7
                 And I beg you, I beg you not to give her
        that much time. Thank you.
 8
 9
                 THE COURT: Thank you.
10
                 Please come forward. Thank you.
11
                 Please proceed with your name, and then
12
        if you'd spell it for the record, please.
                 ASHLEY SCHLICHTING: Yes. My name is
13
14
        Ashley Schlichting, and that's
        S-C-H-L-I-C-H-T-I-N-G.
15
16
                 THE COURT: Thank you. Please proceed.
17
                 ASHLEY SCHLICHTING: You're welcome.
18
                 So I've known Kayla since I was about
19
        12 years old, so it's been over 20 years. Sorry.
        I'm going to get emotional.
20
21
                 So I met her -- I wrote this in the
22
        letter.
                 Sorry.
23
                 Thank you.
24
                 THE COURT: Thank you, Marshal.
25
                 ASHLEY SCHLICHTING: But I met her
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biking, and we would bike up to this grocery store -- I mean this convenience store near home, near our home, and Kayla would be hanging out with her little brother, and she would beg us to go biking because she wanted some friends to hang out with, and so that's how I met Kayla. And she -- like, she meshed and immersed into my family.

And who you guys know -- like, I respect, like, all of your guys' positions because you were placed there for a reason, but who you hear Kayla to be and the -- the bad way that you're drawing it out, that's just who she's been.

She was craving a family. She was living with her grandma. She would come over to my family's house to celebrate holidays, to have dinner, to spend time and actually experience a family. I grew up in a very loving home. My parents loved everybody, and they love Kayla to this day. It breaks their heart that she ended up here.

And she's always been supportive, and that's just who she is. She's ingrained to love on you, and it's not a facade. It seems like

immaturity, but she just loves life.

No matter what happens to her today -- I know that people have to face consequences for their actions, but I've been working in the recovery community for several years now, and it's people like Kayla that I keep pushing forward because they're good people. They grew up in a messed-up situation. She didn't have a normal family to go to and do these things. It's how she was raised. And it's nothing against her family. I love her parents to death because they -- they made this wonderful person, but it's -- it's -- in our recovery community, we have to show love to these people.

I was in -- stuck in addiction myself, and I'm very fortunate and blessed to be able to go inside the prisons today and help people like her so that they can transform their life and use what they've been putting for bad to good.

You know, I -- I -- I strongly rely on my faith. I 100 percent believe that we can be transformed and use what we've been doing in our addiction and use it for good. And I just -- I pray that you see that because the judge that gave me a break when I had dealt with my stuff

saw and had hope in me that I didn't have for
myself, and it wasn't until years later that I
can thank him for allowing me to live my life for
my children, for my family.

Kayla's a wonderful person, and if we can put what she does to use in our community and -- and give her that support -- because that's all she's every known. If we can give her the resources and tools to be who she needs to be, the -- the people that are getting stuck in these systems and coming out are not the same people. It's like we -- we have to be conformed, and then you get institutionalized, and it's so hard to break out of it.

And I just ask that you see who she is as a person, and it's not a bad thing. She will make you laugh. She annoys the heck out of my dad, like -- my dad will never crack -- he'll never crack a joke, he'll never laugh; and Kayla can sit in our living room with him, and we're laughing.

And, like, she would call us from

Mexico, and my parents -- it would break their

heart because they knew that she was stuck. And

you could hear it in her voice. And she missed

her family, and she missed home, and she missed us because she just loves us. Like, she loves everybody, honestly. She probably loves the prosecutor right now. It's just an unconditional love. Like, she's not going to hold anything against anybody, and I don't think that's a fault. I think what Kayla has and possesses, yes, she used it for not so good things, but she's a wonderful person.

And we can -- we can benefit in our community from people like her. I just ask that you consider that when you're making this decision because, like I said, it's -- it's a lot of time, and then for her to not be able to live a life -- and I understand the people and stuff that she's affected, and I'm not -- I'm not trying to override that at all. I'm just saying she is a person.

I am no one special. Half the people that are in recovery in these -- in these pews are nobody special. We just were able to find a way out because we had people to support us, and we had that drive to go in the right direction.

And I'm telling you, what Kayla went through, nobody deserves to go through. And what

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1
        she went through is something that will forever
2
        change her life, and I know that she will use
3
        what she's learned for the good.
                 But I just want to thank you, sir, for
4
        all this, and I want to thank each and every
5
6
        single one of you.
7
                 And I love you, Kayla.
                 THE COURT: Thank you.
8
9
                 Ms. Martinez, is your client ready to
        allocute to the Court?
10
11
                 (Private discussion between the
12
        Defendant and Ms. Martinez.)
13
                 MS. MARTINEZ: Yes, Your Honor.
14
                 THE COURT: Thank you.
15
                 Ms. Knott?
16
                 THE DEFENDANT: Yes.
17
                 THE COURT: Go ahead. What's on your
18
        mind today?
19
                 MS. MARTINEZ: Your Honor, I expected
20
        that you would ask her questions.
21
                 THE COURT: I'm just not hearing you.
22
        You've got to get the mic in there.
23
                 MS. MARTINEZ: I apologize, Your Honor.
24
        I thought you were going to ask her questions as
25
        part of the allocution.
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                 THE COURT: Sure. My question simply
2
        is: Would you like to make a statement to the
 3
        Court, and if you would, what would you like to
 4
        say?
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                 THE DEFENDANT: No, I -- I wrote you a
 6
        letter.
7
                 THE COURT: Yeah.
                 THE DEFENDANT: And I just -- I don't
 8
 9
        know what to say.
10
                 THE COURT: It's a well-written letter.
11
                 THE DEFENDANT: Thank you.
12
                 THE COURT: You know, do you have
13
        anything further that you'd like to add before I
14
        proceed?
15
                 THE DEFENDANT: No.
16
                 THE COURT: Time doesn't permit the
17
        Court to specifically address all of the
18
        statements made by your character witnesses and
19
        by the character letters or -- and most
20
        importantly by your letter, but I do -- I would
21
        be remiss if I didn't explain and frame the
22
        issues that are before the Court today.
23
                 You know, there was a statement by
24
        Ashley, your second character witness to testify
25
        this morning here, to make a statement, about
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hearts being broken, and that's evident. This is a heartbreaking case, and it's -- it is a sad, sad case.

Now, in court, if you're in court at the state level, state court judges have discretion that federal court judges don't have. They have a level of discretion that they can exercise, and sometimes at the state court level how people feel about you or what you've done to impact their lives is something that can be taken into consideration. Now, to some extent, it can be taken into consideration in federal court, too, but in federal court, the judges have much less discretion, the Court has much less discretion, and the sentence that is imposed is to be a sentence that is sufficient but not greater than necessary, and that's under the Guidelines and under Federal Code.

There's a political commentator that's out there that has coined the phrase "facts don't care about your feelings." I'm not saying that's the case in this courtroom, but I am saying that the facts of what you have done matter a lot more when fashioning that sentence, in considering the statutory factors, and that's why we have

Sentencing Guidelines, which are advisory guidelines.

So heartbreaking case, yeah, but also another word that is important here, another phrase that's important, is that this is a heartland case. Under the Sentencing Guidelines, this is a case that is right in the heartland of what is contemplated by United States Code and by the Guidelines.

And Ms. Tilleskjor, law enforcement and Mr. Myers have a role here, and if -- when we go to trial, I often speak to the jurors about what the role of everybody is in this matter. The role of the defense attorney, for example, is set forth for the jury, and the defense attorney's job is to zealously represent and defend their client within the confines of the law.

And prosecutors and law enforcement have a role as well, and that's to prosecute the case within the confines of the law.

Go ahead, Ms. Knott. If you need to speak to Ms. Martinez, I can hold my thought.

THE DEFENDANT: No. Sorry.

THE COURT: Are you sure?

THE DEFENDANT: Yeah.

THE COURT: Okay. If at any time during this hearing you need a moment with your lawyer, you just let me know. Okay?

THE DEFENDANT: Okay. Thank you.

THE COURT: Thank you.

If we have a jury trial, the jurors have a role, and their role is the finders of fact, and the Court is the finder of law. Everybody has their roles.

You know, law enforcement and Mr. Myers don't need anybody to defend them or their actions in these cases, but I do want to assure you, Ms. Tilleskjor, that Mr. Myers would much rather not be here today, he would rather be doing something else on January 3rd, and that these law enforcement officers would much rather not have -- not be here, but they poured their guts into this.

You know, law enforcement sometimes is -- is described as intrepid, you know, adventurous, but oftentimes that intrepid nature, that courageous nature evolves into something more, which is a -- which is heroism, and there was a whole lot of heroism going on in this case by law enforcement in this matter. A lot. A lot

that's not seen, a lot that's not even known by the Court this morning.

You know, for those of you who have training in economics, there's such a thing as opportunity cost. Right? The idea is that there's opportunity cost; that's the loss of potential gain because of choices that are made for other alternatives. There's a big opportunity cost here.

We have -- Ms. Knott, you are -- you have some education and college. Correct?

THE DEFENDANT: Yes. Yes.

THE COURT You are educated; you're charismatic; you're persuasive, likeable, articulate. All of these lend to the heartbreaking nature of this particular matter. Bright, articulate people like you that are recently 32 years old --

THE DEFENDANT: Yes.

THE COURT: -- are -- you know, you're supposed to be doing other things with your life, lives. In this case, I suspect, speaking of opportunity cost, that there were probably other lives that were affected or lost that are unknown to law enforcement because of this particular

continuing criminal enterprise, and in the federal system, that needs to be accounted for and is accounted for.

Ms. Knott, you're the first person that I've seen in my time both as a practicing attorney and as a federal judge that I'm willing to admit might be a little bit of a victim of life. This whole file here that I have -- this is half of what I have on my bench. Much of it is your biography, right, your life story. Both parents involved in drug trafficking; your grandma involved in drug trafficking; you working closely with the cartel; your life arguably, maybe not even arguably, saved by the heroic actions of law enforcement.

You know, I always try to tell my kids, don't be a victim of life. You had a life story that -- to say that it is sad and tragic is a great understatement, but there's also part of this that is your autobiography. The difference between a biography and an autobiography is that the autobiography is the story of your life written by you, and you wrote some of this story, and that's what you're being sentenced on today is the continuing criminal enterprise that is

that part.

Now, you're going to be sitting a stretch of time, and you're going to need to do some work on yourself, but by my math, when you're released from federal prison, you'll still be in your very early 50s. You'll have a lot of life left because you're very young now. And -- and so my hope and desire is that you are able to turn it around and -- and that is what will be the work that is left to you.

Having said that, Ms. Knott, I have considered the entire file in this matter, and I have considered the statements of Counsel, your statement, all the letters in the file, your written letter, the character statements made today. I've considered the Sentencing Guidelines. I've considered the Sentencing Factors under 18 U.S. Code 3553(a), and I've considered all of the statutory and guideline factors in the filing at Document 653. I'm granting the motion of the United States at Document 653 in imposing sentence today.

And pursuant to the Sentencing Reform

Act of 1984, it's the judgment of this Court that

you shall be committed to the custody of the

Bureau of Prisons on Count Five for 321 months; 1 on Count Four for 240 months, concurrent. 2 3 The Court is not imposing sentence on Count One. The Court is not to impose sentence 4 on Count One because it's a lesser included 5 6 offense of Count Five, so no sentence is 7 pronounced on Count One. On Count Four you will be subject to 8 9 supervised release for the statutory maximum of 10 three years, and on Count Five you'll be on 11 supervised release for ten years. 12 The statute provides that there should 13 be at least five years of supervised release. 14 Ms. Jorgenson, is that a limit of five years max as well? 15 16 USPO JORGENSON: It is not, Your Honor. It's a minimum of five years. 17 THE COURT: Yeah. So the Court is 18 19 imposing ten. 20 And, Ms. Knott, the Court also is 21 imposing the \$100 special assessment on 22 Count Four and Count Five for \$200 total, and 23 that must be paid immediately.

Now, with regards to your supervised release, you're going to be subject to mandatory

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conditions of supervised release and standard conditions of supervised release.

You're also going to be subject to the special conditions of supervised release that are delineated on page 26 and 27 of your PSIR as Attachment A. There are seven special conditions.

Ms. Martinez, I would read all of the conditions of supervised release specifically if you ask me to. If you waive reading of the mandatory and standard and special conditions, I would accept that waiver.

MS. MARTINEZ: Your Honor, we would waive it.

THE COURT: All right.

Mr. Myers, is that to the satisfaction of the United States?

MR. MYERS: Yes, Your Honor. Thank you.

THE COURT: Thank you.

The recommendation of the Court is that you assess for and participate in RDAP at the Bureau of Prisons. That would be greatly to your benefit with regards to the decisions that you make in the future and your cognitive structure and paradigm through which you see life. It will

help you a lot, Ms. Knott.

The Court dismisses the forfeiture allegation upon motion of the United States.

Is that correct, Mr. Myers?

MR. MYERS: Yes, Your Honor. I think we filed that previously.

THE COURT: Yeah. And the Court dismisses Count Two and Count Eight as well.

Additionally, with the motion at Document 653, the Court grants that motion and withdraws the certified prior conviction that was set forth as well, and that was pursuant to the Plea Agreement.

As indicated, the Court finds that this is a case that is in the heartland of what is contemplated by Federal Code and by the Guidelines.

Ms. Knott, you have two weeks to appeal this. I know that you remember from your change of plea, even though that was a long time ago, that you have -- that you have an appeal waiver in your Plea Agreement, which is common in all plea agreements in federal court. You reserve the right to appeal in two limited instances, and Ms. Martinez is an experienced attorney who can

1 advise you on that. 2 Mr. Myers, is there anything further on behalf of the United States? 3 MR. MYERS: No, Your Honor. Thank you. 4 THE COURT: Ms. Martinez? Take a moment 5 with your client, please. 6 7 (Private discussion between the Defendant and Ms. Martinez.) 8 9 MS. MARTINEZ: Your Honor, with the 10 imposition of RDAP, would she also be entitled to the reduction in credits? 11 12 THE COURT: That is something that you 13 are going to need to research. I can't answer 14 that. I can tell you that after the hearing perhaps Ms. Jorgenson, or if there's any other 15 16 probation officers around, they can maybe advise. It's a -- it's a question that the Court is not 17 18 comfortable answering. 19 MS. MARTINEZ: Thank you. 20 THE COURT: Thank you. Ms. Martinez, do you have anything 21 22 further? 23 MS. MARTINEZ: I think, Your Honor, if I heard this correctly, you went with exactly what 24 25 the United States Government was requesting, that

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1
        321 months?
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                 THE COURT: Yes.
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                 MS. MARTINEZ: Nothing further to add
        other than I would just ask that you reconsider
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        and shave off maybe a few years, which is likely
 6
        what would have occurred had we come to an
7
        agreement, but Ms. Knott really wanted you to
        have all of this information and to put it in
8
 9
        front of you. We needed this type of sentencing
10
        hearing. And that would have been 23 years,
11
        which isn't much different, but it's something.
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                 THE COURT: The Court has considered all
13
        of the factors set forth in the Guidelines, and
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        the sentence that was imposed is, in the Court's
        estimation, sufficient but not greater than
15
16
        necessary.
17
                 MS. MARTINEZ: Thank you, Your Honor.
18
                 THE COURT: Thank you.
19
                 Ms. Knott, God bless you, and good luck
20
        to you in your future.
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                 THE DEFENDANT: Thank you.
22
                 THE COURT: We are in recess.
23
                 (These proceedings were concluded at
        10:16 a.m.)
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1 CERTIFICATE OF COURT REPORTER 2 3 I, Carolyn Taylor Pekas, a duly appointed Registered Professional Reporter, DO HEREBY 4 5 CERTIFY: 6 That the proceedings were reported in 7 stenotype by me at the aforementioned time and 8 place; 9 That the foregoing fifty-five (55) 10 typewritten pages contain a true and correct 11 transcript of the proceedings to the best of my 12 ability. 13 WITNESS my hand and seal this 3rd day of 14 February, 2025. 15 16 17 18 19 20 /s/ Carolyn Taylor Pekas 21 22 Carolyn Taylor Pekas, RPR United States District Court Reporter 23 District of North Dakota Eastern Division 2.4

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